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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/762,395

Filing Date January 22, 2004

First Named Inventor Tony Giordano

Group Art Unit 1645

Examiner Name Unknown

Total Number of Pages in This Submission

Attorney Docket Number 26788-009

### ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/  
Incomplete Application

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Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
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☐ Terminal Disclaimer

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☐ After Allowance Communication  
to Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

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- PTO-1449 Form with  
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Kathleen W. Geiger, Registration No. 35,880

Signature

*Kathleen W. Geiger*  
*Feb 8, 05*

Date

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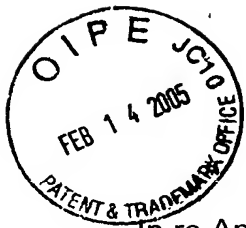
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Giordano et al.

Serial No: 10/762,395

Filed: January 22, 2004

For: Use of Post-Transcriptional Gene  
Silencing for Identifying Nucleic Acid  
Sequences That Modulate the Function  
of a Cell

Case No.: 26788-009

Art Unit: 1645

Examiner: Unknown

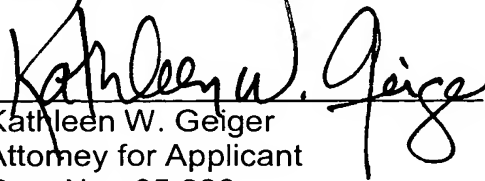
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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING DATE OF A FIRST OFFICE ACTION ON THE  
MERITS (37 CFR § 1.97(b)(3))**

Sir:

1. The Information Disclosure Statement transmitted herewith is being filed **before** the mailing date of the earliest occurrence of a first Office Action on the merits.
2. Applicant believes that no fee is due in accordance with the filing of this Information Disclosure Statement.
3. The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 501447 (Potter Anderson & Corroon LLP). A duplicate copy of this Petition is enclosed.

Respectfully submitted,

  
Kathleen W. Geiger  
Attorney for Applicant  
Reg. No. 35,880  
Telephone: (302) 984-6075  
Facsimile: (302) 658-1192

Date: Feb 08, 05



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**INFORMATION DISCLOSURE STATEMENT**

Sir:

Listed on accompanying PTO-1449 Form are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. This statement is being filed within the time period specified in 37 CFR §1.97(b)(3). Applicant believes that no fee is required.

The Examiner is requested to consider and to make record herein of all the references cited by or to the Office in connection with the listed applications. In accordance with 37 C.F.R. §1.97(d) Applicant has not included copies of the U.S. Patents listed on the enclosed PTO-1449 Form.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

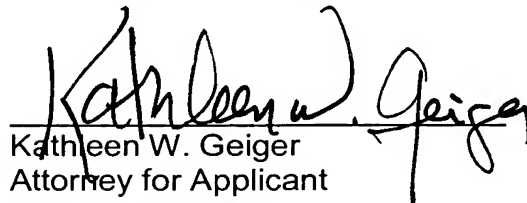
This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is

further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

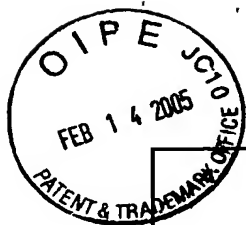
The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 501447 (Potter Anderson & Corroon). A duplicate copy of this pleading is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kathleen W. Geiger", is written over a horizontal line.

Kathleen W. Geiger  
Attorney for Applicant  
Reg. No. 35,880  
Telephone: (302) 984-6075  
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Date: Feb 8, 05



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Denise Bierlein

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Application No: 10/762,395

Filing Date: January 22, 2004

Title: Use of Post-Transcriptional Gene Silencing for Identifying Nucleic Acid Sequences That Modulate the Function of a Cell

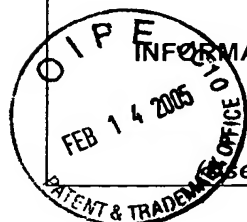
Attorney Docket: 26788-009

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- Transmittal for Information Disclosure Statement
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Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAttorney Docket No.:  
**26788-009**Application No.:  
**10/762,395**Filing Date: **January 22, 2004**

First Named Inventor:

**Tony Giordano**Examiner Name:  
**Unknown**Art Group Unit: **1645**

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	Office	Document Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication	Pages, Cols., Lines where, Relevant Passages Appear
		US	4,897,355		Eppstein et al.	01/30/1990	
		US	5,264,618		Felgner et al.	11/23/1993	
		US	5,279,833		Rose	01/18/1994	
		US	5,283,185		Epand et al.	02/01/1994	
		US	5,459,127		Felgner et al.	10/17/1995	
		US	5,880,276		Hammarskjold et al.	03/09/1999	
		US	5,932,241		Gorman	08/03/1999	

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No.	Office	Document Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication	Pages, Cols., Lines where, Relevant Passages Appear	T
		WO	00/44914		Medical College of Georgia Research Institute Inc.	08/03/2000		
		WO	00/63364		American Home Products Corporation	10/26/2000		
		WO	01/68836	A2	Genetica, Inc.	09/20/2001		

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Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No.: <b>26788-009</b>	Application No.: <b>10/762,395</b>
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**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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	Pachuk et al., DNA Vaccines – Challenges in Delivery, Current Opinion in Molecular Therapeutics, 2000, Vol. 2(2), pp. 188-198
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